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APPLICATION NO.	FILING DAT	E	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/710,576	07/21/2004		Pramod Jain		4575	
36987 PRAMOD JAI		07/17/2007		EXAMINER		
9000 CYPRES	S GREEN DRIV	/E, 108		FRANCIS, MARK P		
JACKSONVII	LLE, FL 32230			ART UNIT PAPER NUMBER		
				2193		
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•				MAIL DATE	DELIVERY MODE	
				07/17/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Satesties of time may be available used the provided of 37 CPT 1.18(a), in to event, hower, may a reply to be lively feed. 1 MO period for reply is specified above, the maximum statutory period will apply and will repair SIX (8) MONTHS from the maring date of this communication of reply is specified above, the maximum statutory period will apply and will repair SIX (8) MONTHS from the maring date of this communication of reply is specified above, the maximum statutory period will apply and will repair SIX (8) MONTHS from the maring date of this communication of the communication of		Application No.	Applicant(s)						
Mark P. Francis 2193		10/710,576	JAIN ET AL.						
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Bearmons of turn may be available under the prosense of JC RF. 1138b, in to even, however, may any be the timely field If NO period for reply is excelled above, the maintrum statutory period will apply and will expire SIX (9) MONTHS from the railing date of this communication. If NO period for reply is excelled above, the maintrum statutory period will apply and will expire SIX (9) MONTHS from the railing date of this communication. If NO period for reply is excelled above, the maintrum statutory period will apply and will expire SIX (9) MONTHS from the railing date of this communication. If NO period for reply is excelled above, the maintrum statutory period will apply and will expire SIX (9) MONTHS from the railing date of this communication. Felluls to reply which the sort ore determined period for eight by the statuto, causer & AbplyCleEC, US LS. €, 1303. An entry may reclude any statutory and the statutory period will apply and will expire SIX (10) MONTHS from the railing date of this communication. Figure 1 in the specification is offer the railing date of this communication. Status 1) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s)	Office Action Summary	Examiner	Art Unit						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Evaluation of tensing by the available under the provisions of 37 CFR 1,138(a), in no event, however, may a risply be timely rised. - Evaluated of tensing by the available under the provisions of 37 CFR 1,138(a), in no event, however, may a risply be timely rised. - If NO particly for regly is specified above, the maximum attations protein writing date of the communication. - Februs to reply within the set of extended period for reply will, by statute, cause the application to become ARAPICONED (35 U.S.C. § 133). - Februs to reply within the set of extended period for reply will, by statute, cause the application is become ARAPICONED (35 U.S.C. § 130). - Februs to reply within the set of extended period for reply will, by statute, cause the application is become ARAPICONED (35 U.S.C. § 130). - Februs to reply within the set of extended period for reply will, by statute, cause the application is become ARAPICONED (35 U.S.C. § 130). - Februs to reply within the set of extended period for reply will, by statute, cause the application is non-final. - Statute - All Status - All Status - All Status action is FINAL 20 [Missing and period for reply will, by statute, cause the application is non-final. - Statute of this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Expante Queryle, 1935 C.D. 11, 453 O.G. 213. - Disposition of Claims - All Claim(s) 1-6 is/are pending in the application Application of Claims - Application is objected to by the Examiner. - Claim(s) 1-6 is/are rejected Claim(s) 1-6 is/are rejected Claim(s) 1-6 is/are rejected Claim(s) 1-6 is/are rejected Claim(s) 1-6 is/are action is objected to by the Examiner Application Papers - Application Papers - Application Papers - Application Papers - Application Papers - Ap		Mark P. Francis	2193						
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1) ⊠ Responsive to communication(s) filed on 21 July 2005. 2a) ☐ This action is FINAL. 2b) ☑ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☑ Claim(s) 1-6 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☑ Claim(s) is/are allowed. 6) ☑ Claim(s) is/are objected to. 8) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) is/are objected to. 9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 21 July 2005 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Defenders's Standard Application	 WHICHEVER IS LONGER, FROM THE MAILING DATE. Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period we failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing 	ATE OF THIS COMMUN 36(a). In no event, however, may vill apply and will expire SIX (6) Mo cause the application to become	NICATION. a reply be timely filed ONTHS from the mailing date of this communication (35 U.S.C. § 133).						
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) ½ is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) ½ is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The drawing(s) filed on 21 July 2005 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * O None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(e) Interview Summary (PTO-413) Paper Nots/Mosil Date. Paper Nots/Mosi	Status	•							
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DETAILED ACTION

- 1. This action is responsive to the application filed on July 21, 2004.
- 2. Claims 1-6 have been examined.

Oath/Declaration

The Office acknowledges receipt of a properly signed oath/declaration filed July 21, 2004.

Claim Objections

4. Claims 1-6 are objected to because of the following informalities: Claims 1-6 do not end with a Period. All claims in the application should end with "." Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-6 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claim 1,

In this instance, the language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to an environment or machine which would result in a practical application that would produce a useful, concrete, and tangible result to form the basis of statutory subject matter under 35 USC 101.

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According to the 101 Interim Guidelines, The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application."). "[An application of a law of nature or mathematical formula to a ... process may well be deserving of patent protection." Diehr, 450 U.S. at 187, 209 USPQ at 8 (emphasis added); see also 21 Corning, 56 U.S. (15 How.) at 268, 14 L.Ed. 683 ("It is for the discovery or invention of some practical method or means of producing a beneficial result or effect, that a patent is granted . . ."). In other words, the opposite meaning of "tangible" is "abstract."

Applicant just mentions a method of developing web application, which can be deployed as JSP 168 compliant as well as a standalone web application without defining any steps taken or needed to develop or build the corresponding web application, thus the claim is merely an abstract idea. Therefore, the claim as a whole does not result in a tangible practical application.

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Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

- 8. A person shall be entitled to a patent unless -
 - (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 9. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Sundaresan. (U.S. PGPUB 2005/0086664)

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Independent claims

With respect to claim 1, Sundaresan discloses a method of developing a web application, (See Abstract, "...creating applications, such as web applications...") which can be deployed as is in a JSP168 compliant portal framework (Col 1:0015, "...JSPs provide dynamic scripting...") as well as deployed as a standalone web application (Col 3:0027-0028, "...types of logic, may be standalone or integrated...")

Dependent claims

With respect to claim 2, the rejection of claim 1 is incorporated and further, Sundaresan discloses that the server side pages contain data access logic with conditional check that gets data from the portal server or standalone server. (Col 2:0019-0020, "...The control and flow logic...", Col 3:0023, "...various flow and control logic...")

With respect to claim 3, the rejection of claim 2 is incorporated and further, Sundaresan discloses that in presentation logic in the server side pages is common (Col 0018-0019, "...the presentation logic...", e.g. See Fig. 1, element 16 and related text)

With respect to claim 4, the rejection of claim 2 is incorporated and further, Sundaresan discloses that the submit logic in the server side pages contains a conditional check that chooses portal server or standalone server to submit (Col 3:0028-0031, "...identifies the appropriate portal specific...The layout manager enables a portal to separate...")

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With respect to claim 5, the rejection of claim 1 is incorporated and further, Sundaresan discloses that in a single broker class handles all the backend processing for both portal server and standalone (Col 3:0023-0025, "...action classes...action class...")

With respect to claim 6, the rejection of claim 1 is incorporated and further, Sundaresan discloses that in a single action class connects the portlet container to the broker class in the case of portal application(Col 3:0025, "...The action class then creates or interacts with the model object...")

Conclusion

- 10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- 11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark P. Francis whose telephone number is (571) 272-7956. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark P. Francis

Patent Examiner

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THOMAS LEE
SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2100